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IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

SINGLE BENCH

W.P. No. 1490 /2005

Petitioner : GHASIYA SINGH THAKUR,
S/o Late Shri Sher Singh Thakur
aged about 43 years,
Occupation - Govt. Service,
Assistant Teacher,
Resident of village Sarsinwa,
Block & Tehsil Bilaigarh,
Distt. Raipur (C.G.)

P.R. No. 1302/05
Presented by Shri A.Y. Nigwal
dated 28/03/05

VERSUS

Respondents :
1. State of Chhattisgarh
Through Secretary,
Tribal Development Department,
D.K.S. Bhawan, Raipur,
Distt. Raipur (C.G.)

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2. Block Development
Education Officer
Bilaigarh, Distt. Raipur (C.G.)

3. Assistant Commissioner,
Triabal Development,
Raipur (C.G.)

4. Smt. Meena Tirkey
W/o Shri Manoj Khute,
R/o Sarsinwa, Block
& Teh. Bilaigarh,
District Raipur (C.G.)

WRIT PETITION UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE APPROPRIATE WRIT, ORDER OR DIRECTION.

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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

W. P. No. 1490 of 2005

Petitioner : Ghasiya Singh Thakur

Versus

Respondents : State of Chhattisgarh & others

Shri R.K. Kesharwani, Advocate for the petitioner.

Smt. Anju Ahuja, Deputy Government Advocate for the State/respondents No. 1, to 3.

Shri Sunil Sahu, Advocate for the respondent No. 4.

ORDER

(8th September, 2006)

1. The petitioner, who is working as Assistant Teacher in Pre-matric Schedule Caste Girls Hostel, Sarsisinwa, has been transferred to the Tribal Boys Hostel, Charoda, Block Kasdol by the impugned order dated 4.3.2005 (Annexure P/5).

2. Learned counsel for the petitioner submits that there is no administrative exigency, as one post is already vacant at the original place of posting and as such the impugned order is bad.

3. The contention of the petitioner cannot be countenanced on the ground that the administrative exigency as well as public interest has to be seen by the employer i.e. State Government

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overall, not qua a particular posting. There is no other ground raised by the petitioner, impugning transfer order.

4. In view of the foregoing this Court is of the view that there is no merit in this petition. Thus, this writ petition is dismissed. No order as to Costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash